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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,809	07/14/2000	James Richard Wason	13679(END9-2000-0080US1)	6597

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EXAMINER

CAMPBELL, JOSHUA D

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 08/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/616,809

Applicant(s)

WASON, JAMES RICHARD

Examiner

Joshua D Campbell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: Request for RCE filed 07/25/2004 and Amendment filed on 07/25/2004.
2. Claims 1-13 are pending in this case. Claims 1, 6, and 10 are independent claims. Claims 1, 6, and 10 have been amended.
3. The rejection of claims 1-13 under 35 U.S.C. 103(a) as being unpatentable over Kikinis in view of Microsoft Press has been withdrawn as necessitated by amendments.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis (US Patent Application Publication Number 2002/0049833, filed on May 4, 1998) in view of Marcos et al. (hereinafter Marcos, US Patent Number 6,262,729, filed on April 4, 1997) further in view of Microsoft Press (Microsoft Press Computer Dictionary, published in 1997).**

5. **Regarding independent claim 1**, the applicant discloses:
  - forming a template from fragments of the text file that include literals for an output text stream;
  - o Kikinis discloses a method in which a listing of parameters and characteristics of a WEB page (HTML) are used to form a template, it is

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inherent that this listing exists as text for processing purposes (Page 2, paragraph 0013 of Kikinis). Kikinis does not disclose that the information includes literals for the output text stream. However, it was well known in the art that information provided in a programming language (HTML) would contain literals for use in output because literals are used in programs (literal – see Microsoft Press Computer Dictionary, 1999, page 286 “literal”).

- storing the template in simple text format;
  - o Kikinis does not disclose a method in which the template is stored in simple text format. However, Marcos discloses a method in which a template that is stored in simple text format (text file) is used to parse other documents (column 9, lines 5-32 of Marcos). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Kikinis and Marcos because it would have allowed for higher portability of the template due to the use of a universal format.
- using the template as an overlay for parsing incoming files, or as a prototype to generate a segment of an output file;
  - o Kikinis discloses a method in which a template is used to translate (parse) web pages transmitted by a server (Page 2, paragraph 0013 of Kikinis).
- using a macro class to map data from the text file to an application;

- Kikinis discloses a method in which scripts (macro – see Microsoft Press Computer Dictionary, 1999, page 422 “script” and page 294 macro) are used to load web pages to be used as data for the template application (Page 2, paragraph 0017-0020 of Kikinis). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Kikinis with the use of macros because it was well known in the art at the time the invention was made that a script as disclosed in Kikinis is conceptually the same as a macro.
  - embedding the macro class as a keyword within the template, wherein when the template reaches the keyword, the template calls the macro class to further process the text file according to a given set of rules.
    - Kikinis discloses a method in which scripts in the templates are used in the file processing (Abstract of Kikinis), as defined by Microsoft Press Computer Dictionary (1999, pages 294-295 and 422-423) a script is synonymous with a macro and a macro is defined to be a short hand (keyword) way to carry out instructions of a program that would normally require a large number of keystrokes. A program being a set of rules for processing data.
6. **Regarding dependent claim 2**, the applicant discloses:
- that the macro class reads in a segment of the text file and uses the segment to initiate application update processing.

- Kikinis discloses a method in which a script loads real-time (updated) data from web pages to start the filling of a template (Page 2, paragraph 0017-0020 of Kikinis).
- 7. **Regarding dependent claim 3**, the applicant discloses:
  - that the macro class derives data from the application and formats it into the text file.
    - Kikinis discloses a method in which the scripts provide HTML (text) files (Page 2, paragraphs 0017-0020 of Kikinis).
- 8. **Regarding dependent claim 4**, the applicant discloses:
  - that the macro class derives a template name from the invoking template and uses that name to invoke a next template to further process the text file.
    - Kikinis discloses a method in which a number of templates may be used to on a set of information, which is contained in the parameters of a template and executed by the application during processing (Page 15, paragraphs 0194-0196).
- 9. **Regarding dependent claim 5**, the applicant discloses:
  - providing an interface controller to prevent structure clashes by placing text data into appropriate places in a complex object structure as the text file is processed.
    - Kikinis discloses a method in which an application operates based on templates, which include details about the client's viewing device and parameters, contained within a template, regarding the client in order to

correctly provide a viewable document to the client (Page 2, paragraph 0013 of Kikinis).

10. **Regarding independent claim 6 and dependent claims 7-9**, the claims incorporate substantially similar subject matter as claims 1-3 and 5. Thus, the claims are rejected along the same rationale as claims 1-3 and 5.

11. **Regarding independent claim 10 and dependent claims 11-13**, the claims incorporate substantially similar subject matter as claims 1-3 and 5. Thus, the claims are rejected along the same rationale as claims 1-3 and 5.

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection. However, the arguments do not appear to be referencing the claimed subject matter or the previous rejection. It appears that the arguments are in reference to an entirely different application. Thus, the arguments are given no weight in this response.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC  
August 5, 2004

  
STEPHEN S. HONG  
PRIMARY EXAMINER